

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

J SOCORRO NUNEZ-MEDRANO,

Defendant.

NO. CR 20-001JLR

ORDER CONTINUING TRIAL

Having considered the record and the parties' March 30, 2020, joint motion, and General Order 02-20 for the Western District of Washington, the Court FINDS that:

1. In light of the rapidly increasing spread of Coronavirus Disease 2019 (COVID-19) within the Western District of Washington, the recommendations made by the Centers for Disease Control and Prevention (CDC) that individuals – particularly those at higher risk of contracting this disease, including individuals with underlying health conditions, individuals age 60 and older, and individuals who are pregnant – avoid large groups of people, at this time, it will be difficult to get a jury pool that would represent a fair cross section of the community. Based on the recommendations it would also be medically inadvisable to do so.

1 2. In addition, various measures being implemented by the federal, state, and
2 local governments, as well as institutions – including the Bureau of Prisons – to halt the
3 spread of COVID-19 make it difficult for the parties to prepare effectively for the trial for the
4 reasons stated in the motion.
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6 3. For these reasons, as well as other reasons detailed in the parties' joint motion,
7 the failure to grant a continuance of the trial date in this case would likely result in a
8 miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by
9 continuing the trial in this case outweighs the best interest of the public and the defendant to
10 a speedy trial.

11 IT IS THEREFORE ORDERED that:

12 1. The parties' joint motion to continue the trial date and other dates is
13 GRANTED.

14 2. The pretrial motions deadline of April 3, 2020 and the trial date of May 11,
15 2020, is hereby VACATED.

16 3. A status hearing is SCHEDULED for June 2, 2020, at 9:30 a.m. At that status
17 hearing, the Court will set a new trial date.


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4. IT IS FURTHER ORDERED that the time between the date of the filing of the parties' joint motion and June 1, 2020, is excluded in computing the time within which trial must commence because the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Failure to grant this continuance would likely make trial impossible and result in a miscarriage of justice, and would deny counsel for the defendant and government counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *Id.* § (B)(i), (iv).

Dated this 31st day of March, 2020.


JAMES L. ROBERT
United States District Judge